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SRI S. T. ADITYAN :—“ Will the Hon. Minister consider the whole question again in the light of another suggestion that we wish to make, viz., of the three conditions mentioned in section 12 (2) of the Madras Payment of Salaries and Removal of Disqualifications Act, the third condition regarding the occurrence of vacancies should not be taken into account. Is the Hon. Minister prepared to consider the question on those lines? ”

THE HON. SRI C. SUBRAMANIAM :—“ We have taken legal opinion and we have come to this decision. If fresh and better light is thrown, we will certainly welcome it.”

MR. SPEAKER :—“ Questions over.”

III.—RESOLUTIONS—WAIVER OF NOTICE UNDER RULE 120 OF THE ASSEMBLY RULES.

* **SRI T. VISWANATHAM :—**“ Sir, I gave notice of two resolutions—one under rule 48 of the Assembly Rules and another non-official resolution—requesting you to waive notice under rule 120 of the Assembly Rules. May I know whether they are coming up before the House to-day? ”

MR. SPEAKER :—“ I have not waived notice. If the notice had been waived, it would have been included in the agenda.”

SRI T. VISWANATHAM :—“ What about the other resolution coming under rule 48, regarding the policy underlying sales tax? May I know whether it is coming? ”

MR. SPEAKER :—“ If I had included it, it would have been on the agenda.”

SRI T. VISWANATHAM :—“ When will it be taken up? ”

MR. SPEAKER :—“ At the proper time.”

IV.—PANEL OF CHAIRMEN.

MR. SPEAKER :—“ I have to announce to the House that under rule 15 of the Madras Assembly Rules, I have nominated the following four Members of the Assembly to be the Panel of Chairmen for the first session of the Legislative Assembly newly constituted under the Constitution of India :—

(1) Sri S. Ramasamy Naidu.

(2) Mr. W. J. Fernandez.

(3) Janab K. M. Seethi.

(4) Sri P. Venkatasiviah.

V.—GOVERNMENT BILL.

THE MADRAS REQUISITIONED LAND (CONTINUANCE OF POWERS) BILL, 1952.

MR. SPEAKER :—“ We shall take up the next item on the agenda, The Madras Requisitioned Land (Continuance of Powers) Bill, 1952.”

* **SRI K. KRISHNA RAO :—**“ On a point of order, Mr. Speaker, Sir, this Bill which is sought to be moved relates to

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lands which have been requisitioned under the Defence of India Act, 1939, and that Act did not make any provision for payment of compensation."

MR. SPEAKER :—" The hon. Member is making a speech and is not raising a point of order."

* SRI K. KRISHNA RAO :—" Sir, it is against the fundamental rights guaranteed under Article 31 (2) of the Constitution of India and if the lands are in the possession of the Government, they are there by *jabardast* and not by law. Article 31 (2) definitely says :

' No property, movable or immovable, including any interest in, or in any company owning, any commercial or industrial undertaking, shall be taken possession of or acquired for public purposes under any law authorizing the taking of such possession or such acquisition, unless the law provides for compensation for the property taken possession of or acquired and either fixes the amount of compensation or specifies the principles on which, and the manner in which, the compensation is to be determined and given.'

Section 2 (xxiv) of the Defence of India Act (XXXV of 1939) only mentions the requisitioning of any property, movable or immovable, including the taking possession thereof and the issue of any orders in respect thereof. Therefore, what is contemplated is not the payment of any compensation and, as a matter of fact, to-day owners of many of the lands which have been requisitioned in the past under the Defence of India Act are not paid any compensation for their continued possession by the Government. So, it is *ultra vires* of the Constitution and becomes inoperative once the Constitution comes into operation. Therefore, I request the Hon. Speaker to rule the Bill out of order as it is *ultra vires* of the Constitution."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I submit it is not a point of order. Rather it is in the nature of a complaint or grievance. I do not see any point of order in that."

MR. SPEAKER :—" I must inform the House that a point of order can be raised without notice if it arises in the course of the proceedings. In England the Speaker is assisted by a K.C. Here, I have not been given any such Legal Adviser. Even in England, if an hon. Member wants to raise a point of order, unless it arises out of the proceedings, he must give due notice. I suggest that we must follow that principle here also. In the previous Legislature, I have given a long ruling on this matter. The hon. Member can refer to it if he wishes. I think the Bill is in order. If the hon. Member still wishes to pursue the matter he can move the courts in the matter."

* THE HON. SRI M. A. MANICKAVELU NAICKER :—" Sir, I move that—

' The Madras Requisitioned Land (Continuance of Powers) Bill, 1952 (L.A. Bill No. 3 of 1952), be taken into consideration at once.'

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In this connexion, I want to say that this legislation is not in the nature of a new venture. It is only continuing a piece of legislation that is in operation now. Now, Sir, as the Statement of Objects and Reasons states, this legislation was in operation on account of the Defence of India Act, 1939, and then it was regularized by the Central Act XVII of 1947 and then again there was the Madras Act II of 1951. That Act having lapsed, it was necessary to pass an Ordinance (Madras Ordinance I of 1952) in March and this Bill seeks to regularize that Ordinance and make it into an Act. The matter is very simple. I find a number of amendments have been proposed and I am simply bewildered and I do not know what they really are. After all, this Bill merely wants that certain acts of Government in respect of certain properties which had been taken over by the Government should be regularized. This is an aftermath of the war. Just as it has affected many other walks of life and departments of administration, it has also affected our legislative work. Therefore, it is sought through this Bill to regularize for one year only the action of the Government in continuing to keep in possession the requisitioned properties. Everything will be set right during this period and there may not be any necessity for renewing the Bill again. Now, I would like to know what the nature of the objection from the other side is and then I will meet it."

MR. SPEAKER :—" The motion is—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952 (L.A. Bill No. 3 of 1952), be taken into consideration at once.'

Now, I will ask Mr. Venkateswarlu and Mr. Krishna Rao to formally move their amendments so that the motion and the amendments may be before the House for discussion."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, I am given to understand that certain Members of this House want to oppose this legislation."

MR. SPEAKER :—" The hon. Member cannot anticipate those things. During the course of the debate, he will come to know about that.

" Let the hon. Member move the amendment that stands in his name."

SRI PILLALAMARRI VENKATESWARLU :—" Sir, I move—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952, be referred to a Select Committee consisting of 17 Members of the Assembly.'

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SRI M. KALYANASUNDARAM :—“ I second the amendment, Sir.”

SRI K. KRISHNA RAO :—“ Sir, I move—

‘ That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952, be circulated for the purpose of eliciting public opinion thereon.’ ”

SRI VAVILALA GOPALAKRISHNAIAH :—“ I second the amendment, Sir.”

MR. SPEAKER :—“ Now, the motion and the amendments are before the House for discussion.”

SRI PILLALAMARRI VENKATESWARLU :—“ Sir, now that the amendments have been moved, I want to say that certain Members want to oppose this Bill.”

MR. SPEAKER :—“ Nobody prevents the hon. Member from opposing it. The only thing is that it will save time if both the motion and the amendments are before the House for discussion. Otherwise, there will be too much of repetition.”

* SRI P. RAMAMURTHI :—“ Mr. Speaker, Sir, the Hon. Minister for Land Revenue, while moving this Bill, gave us practically little information as to why it has been necessary for the Government to come forward with this Bill. The only statement that he has made is the Statement of Objects and Reasons mentioned in the Bill and beyond that, no other information has been vouchsafed to this House.”

12 noon. “ Certain lands and certain properties were requisitioned between the year 1939 when the Second World War broke out, and 1945 when it terminated, for purposes which were connected or were even remotely connected with the war. The Government thought if necessary to keep these lands in their possession even subsequent to the expiry of the Defence of India Act. Now, nearly twelve years have elapsed after the outbreak of the war and it is seven years since the war ended and even to-day the Government do not care to place before the House the exact nature and extent of the properties they still hold under requisition, whose properties they are and why it is that the Government still consider it necessary to keep them under requisition even though the war ended seven long years ago. The Government do not place before the House the facts and yet they expect us to give them sanction to continue to keep these lands under requisition and put them to whatever use they desire according to their sweet will. This is my first objection.

“ My second objection is that I thought that if we at least went through the Address of His Excellency the Governor some reasons would be found why the Government still considered it necessary to hold these lands under requisition. Even the Governor's Address has not vouchsafed us any reasons. All that we are told in the Address is ‘ as the work of derequisitioning of

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these properties could not be completed before the end of March 1952, immediate action had to be taken to extend the life of the Central Act referred to for a further period of one year from 1st April 1952.' I am not at all able to understand the meaning of this. 'Requisitioning' and 'derequisitioning' are certain well-known legal terms. Government deem it necessary to take possession of certain properties held by private individuals for certain purposes of Government and the moment that need ceases and the Act under which they were requisitioned expires or ceases to operate, the process of derequisitioning also begins to operate automatically. There is no question of Government finding itself unable to derequisition the properties before the 31st March 1952. When the Act ceases to be operative the properties also cease to be requisitioned property and, if the Government still want to continue to be in possession of these properties, they are no more doing so under any Act. It has been unlawful occupation all these days. I am not able to understand what is meant by the statement of His Excellency the Governor that the work of derequisitioning of these properties could not be completed before 31st March 1952. It may be that certain rules have to be complied with and certain formalities have to be gone through before handing over possession of the property to the individual to whom it belongs. This, however, does not mean that the properties cease to be derequisitioned property. The moment the Act ceases to operate the property is derequisitioned and there can obviously be no legal justification for the Government to continue to keep them under requisition and for coming to this House and telling us, 'You must now empower us to continue to hold on to these properties.' This is one aspect of the question and, in fact, the Government have not told us why they want to continue to be in occupation of these lands and to what use they want to put them.

" Apart from these general objections, I would also like to go a little more in detail into the provisions of the Bill and point out that this Bill as it is framed may not be acceptable to the High Court, if anybody chooses to question its provisions. I will not therefore be a party to this House rushing through this piece of legislation in haste without understanding its legal implications. In the past, I think, we have had enough of such pieces of legislation, the provisions of which have been held to be *ultra vires* of the Constitution by the High Courts and the Supreme Court. The Courts have also held that the Central Legislature or the Provincial Legislatures that passed such legislation were not competent to pass them. I do not think that this House should take upon itself the responsibility once again to get such a certificate from the judicial tribunals of this country. It is absolutely essential that before we push through any legislation we must try and find out whether that piece of legislation corresponds to the provisions of enactments that have already been enacted and does not offend the fundamental provisions of the Constitution itself about which this House, and indeed every Member of it, is concerned.

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" Sir, if the Government are anxious to have a legislation of this type and if they want this House to pass an enactment of this kind, conferring powers on the Government to continue to keep under requisition certain properties and even to requisition certain properties as being absolutely necessary for certain public purposes, I think it is necessary that the House must go into it with very great care, and for that purpose refer the whole Bill to a Select Committee or circulate it for eliciting public opinion so that we may not be guilty of passing any legislation in haste. That is why, I am very particular that this Bill must be gone into with a little more of care and thought.

" Now, Sir, let us go back into the history of this legislation. If you look at the Statement of Objects and Reasons you will find it stated that during the last war, lands and buildings were requisitioned under the Defence of India Act, 1939, and they continued to be subject to requisition under the Requisitioned Land (Continuance of Powers) Act, 1947 (Central Act XVII of 1947), that before the expiry of that Act on the 1st April 1951, its life was extended until the 1st April 1952 in so far as it related to immovable properties under requisition by or under the authority of the Central Government (Central Act IX of 1951) and that a similar extension of the life of that Act was necessary in so far as it related to immovable properties under requisition by or under the authority of the State Government and Madras Act II of 1951 was accordingly enacted. The provisions made were these, viz., that after the Defence of India Act expired, the Government of that day promulgated an Ordinance in 1946 which continued the provisions of the Defence of India Act for purposes of continuing to keep under requisition properties requisitioned under the Defence of India Act. Later on when the Legislative Assembly met they passed in 1947 the Central Act referred to before, viz., the Requisitioned Land (Continuance of Powers) Act, 1947, whose life expired on the 1st April 1952. Before that Act died a natural death in the normal course of events the Government of India thought, as I take it, for very good reasons that the provisions of this Act were contrary to the Fundamental Rights provisions laid down in Part III of the Constitution and that they would be held to be *ultra vires* if questioned in a Court, and so brought in another legislation referred to in paragraph 2 of the Statement of Objects and Reasons, viz., the Requisitioning and Acquisition of Immovable Property Act, 1952 (Central Act XXX of 1952), which received the assent of the President on March 15, 1952, and became law from that date. The very first section of this Act says that it completely repealed the Requisitioned Land (Continuance of Powers) Act, 1947. Therefore we arrive at a position between March 15 and March 30, 1952, when the 1947 Act of the Central Government referred to already and on which the Madras Government had passed its corresponding Act had ceased to exist. Therefore for 15 days, i.e., from March 15, the date on which the 1952 Act of the Central Government received the President's assent and March 30, the date on which the Madras Government passed its Ordinance, the powers which the Madras Government had under the

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1947 Act of the Government of India ceased to exist. There was, therefore, no property in the hands of the Madras Government which would be deemed to be requisitioned property between the 15th March and 30th March 1952. I am speaking on the advice of legal authorities and I would be very glad to know what the Advocate-General has got to say on this matter when I contend that if the Governor of Madras thought it fit to issue an Ordinance on the 30th March 1952 validating the provisions of the 1947 Act which ceased to exist on 15th March 1952, the Madras Government did not have in their hands any property which could be deemed requisitioned property. This Bill which is sought to be enacted to replace this Ordinance does not take away the fundamental fact that there was no requisitioned property with the Madras Government between March 15 and March 30, under the provisions of the 1947 Act. I am sure the Bill, if passed into an Act, will be declared *ultra vires* by any Court."

THE HON. SRI C. RAJAGOPALACHARI:—"What about the effect of clause 9 (2) of the Bill?"

* SRI P. RAMAMURTHI:—"I know there is a saving clause—clause 9 (2) which states—

'For the avoidance of doubt, it is hereby declared that the repeal of the said Act by the Central Ordinance III of 1952 and Central Act XXX of 1952 shall not be deemed to have affected the operation of the said Act, as respects any requisitioned land as defined therein which at the time of such repeal was subject to requisition by or under the authority of the State Government and for their purposes.'

I would submit that this saving clause will not in any way save this Bill, for the simple reason that I would like to refer to the judgment of the Madras High Court in what is called the Veerabhadriah case in 1949. The position may be briefly explained as follows. In 1947 the Madras Legislature passed what was called the Maintenance of Public Safety Act. Later on, in 1949 it was held by the Patna High Court and the Supreme Court that the extension of the provisions of such an Act by an order of the Executive Government in 1948 would have no legal effect. As a result of these two decisions, the Madras Government passed an Ordinance in 1949 which sought to validate the provisions of the 1947 Act even for the period from 1947 to 1949. In the Veerabhadriah case the Madras High Court held that this kind of validation was *ultra vires* and all that the Government of Madras and the Legislature were entitled to do was to seek immunity for those persons who had acted during this period in good faith thinking that the provisions of the Act of 1947 continued to exist and that the Act was in no way *ultra vires*. This was all that was conceded by the judgment of the Madras High Court. I therefore say that this saving clause cannot in any way save this Bill. The Ordinance will not in any way be upheld by a Court of Law. This is one aspect of the matter.

"Now, Sir, apart from these facts, let us take into consideration the various clauses in the Bill.

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12-15 " In the Central Act (The Requisitioning and Acquisition of
p.m. Immovable Property Act, 1952), certain fundamental principles
have been incorporated and they do not find a place in the Bill now
under discussion before the House. It became necessary for the
Government of India to enact this new piece of legislation (The
Requisitioning and Acquisition of Immovable Property Act, 1952)
because the old Act (the Central Act XVII of 1947) obviously
came into conflict with the Fundamental Rights in Part III of the
Constitution of India. The Hon. Chief Minister might think it
rather strange that I, a Member of the Communist Party, should
now come to defend the property rights of private individuals. The
Hon. Chief Minister, I know, has stated in the other House . . ."

MR. SPEAKER :—" The hon. Member should not refer here
to whatever has taken place in the other House."

* SRI P. RAMAMURTHI :—" I know the Hon. Chief
Minister has made statements that the Communist Party are
advocating nationalisation of lands, etc. I would like to inform the
House that the Communist Party has got a certain programme,
and the programme that is placed before the country by the Com-
munist Party is based on the development of our society. We are
not opposed to the holding of private property as such. In fact we
demand that the tillers of the soil should be given lands and that
property rights should be vested in them and not in the feudal
landlords. (The Hon. Chief Minister: 'It is a trap.') It might
be a trap. All the property rights of the common masses, ordinary
peasants and even those of the capitalists should be protected in
the existing state of society. That is why, the Communist Party
has come forward to defend the property rights which are sought
to be taken away arbitrarily by the Government under this Bill.
This is another reason why I want to oppose this Bill.

" I would like to draw the attention of the House to the pro-
visions contained in the Requisitioning and Acquisition of Immove-
able Property Act, 1952, passed by the Central Parliament and point
out the difference between the principles contained in the provisions
of this Act and those contained in the provisions of this Bill, now
before us, and I would say that itself constitutes a reason why the
Bill in the present form should not be enacted into law. The
House must take into consideration the reasons which impelled the
Central Parliament to change its legislation (Central Act XVII of
1947) in the particular way in which it had been done. Take the
question of requisitioning of property. The Central Act lays down
that the property that has been requisitioned must be for a public
purpose and the moment that property is held for any purpose
other than a public purpose it must automatically and immediately
be derequisitioned. This is one of the fundamental provisions that
has been included in the new enactment of the Central Parliament.

" Section 5 (1) of this Act (Central Act XXX of 1952—the
Requisitioning and Acquisition of Immovable Property Act, 1952)
states as follows :—

' All property requisitioned under section 3 shall be used for such
purposes as may be mentioned in the notice of requisition.'

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Under section 3 (1) of this Act, it is incumbent on the requisitioning authority to give notice to the person whose property is going to be requisitioned specifying therein the purpose of the requisition. The proviso to section 6 (1) states—

‘Provided that where the purposes for which any requisitioned property was being used cease to exist, the Central Government shall, unless the property is acquired under section 7 release that property, as soon as may be, from requisition.’

Therefore the Central Act lays down firstly, that the requisitioning authority must give notice to the person whose property is going to be requisitioned specifying therein the purpose of requisition, secondly, that the property requisitioned must be used for such purposes as may be mentioned in the notice of requisition and thirdly, the moment the purposes for which any property is requisitioned cease to exist the property must be restored to the owner, and it is not open to the Government to use that property for any other purpose. These provisions are mandatory in the Central Act as is evident from the use of the word ‘shall’ in those sections.

“ Clause 2 of the present Bill before the House reads as follows :—

‘All immovable properties which were requisitioned by or under the authority of the State Government and for their purposes under the rules made under the Defence of India Act, 1939 (Central Act XXXV of 1939), and which at the commencement of this Act continued to be under requisition by virtue of the Requisitioned Land (Continuance of Powers) Act, 1947 (Central Act XVII of 1947), Madras Act II of 1951 and Madras Ordinances 1 of 1952, shall continue to be subject to requisition until the expiry of this Act; and the State Government may use or deal with any such immovable property (hereinafter referred to as requisitioned land) in such manner as may appear to them to be expedient :

‘Provided that the State Government may at any time release any requisitioned land from requisition.’

Under this provision, it is not necessary for the State Government to inform the owners whose properties have been requisitioned about the use to which their properties are put. Having requisitioned properties in 1939 which may or may not be connected with a public purpose, it is not open to the Government, particularly in view of the Fundamental Rights conferred under Part III of the Constitution of India, now to deal in any manner they please with the properties requisitioned in 1939. Under this clause, the State Government may use or deal with any such immovable property in such manner as may appear to them to be expedient. This, in principle, is wrong for the Government to do. These properties were requisitioned in 1939, 1940, 1941, etc., before the Constitution of India came into force. After the Constitution of India which guarantees certain fundamental rights to all citizens of India came into force, it is absolutely necessary for the State Government to safeguard, in the matter of requisitioning of property, the Fundamental Rights in spirit as well as the letter of the law. I am of opinion that this provision goes against the rights conferred under Part III of the Constitution. Again, under this provision, the State Government can put to any use the requisitioned properties, which is against the Fundamental Rights guaranteed under the Constitution.”

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MR. SPEAKER :—" The hon. Member has already taken 30 minutes. He will soon finish his speech."

* SRI P. RAMAMURTHI :—" Clause 4 of this Bill states as follows :—

' If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.'

Under this provision, it is not incumbent on the State Government to tell the people that the property so requisitioned is demonstrably for a public purpose. Under this provision, it is not even necessary to inform the parties concerned as to what exactly is the public purpose for which a particular property is sought to be requisitioned. All that is required is only the satisfaction of the Government or their Executive that in their opinion it is necessary to acquire a particular property for a public purpose and nothing more.

12-30 a.m. " In this Bill the State Government want to take absolute powers to requisition property. Let us contrast this with the Central Act. Section 7 of the Requisitioning and Acquisition of Immovable Property Act, 1952, says—

' Where any property is subject to requisition, the Central Government may, if it is of opinion that it is necessary to acquire the property for a public purpose, at any time acquire such property by publishing in the Official Gazette a notice to the effect that the Central Government has decided to acquire the property in pursuance of this section :

' Provided that before issuing such notice, the Central Government shall call upon the owner of, or any other person who, in the opinion of the Central Government, may be interested in, such property to show cause why the property should not be acquired ; and after considering the cause, if any, shown by any person interested in the property and after giving the parties an opportunity of being heard, the Central Government may pass such orders as it deems fit.'

Whereas in the Central Act, an opportunity is given to the owner of the property or other parties who are interested in it to show cause why the property should not be acquired, no such opportunity is given in this Bill. I am not saying that the provisions of the Central Act are good. I think that the ' public purpose ' specified in that Act must be demonstrably so in a Court of law. Part III of the Constitution guarantees certain Fundamental Rights and one of them is that no property shall be acquired unless it be for a public purpose. This right is a justiciable right ; in other words, when an affected person feels that the purpose specified is not a public purpose, it is open to him to agitate the matter in a Court of Law. Under this Bill, it is not necessary for the Government to specify even the purpose for which they acquire a property. Then how can a Court of law decide the matter ? On this very ground, I say that this Bill can be declared *ultra vires*. Clause 4 of the Bill reads :—

' If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose, they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.'

The clause is very defective and the powers conferred by it are open to abuse by the Government, as they may acquire a land and

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put it to any use they like. I am not prepared to clothe the Government with such absolute powers. What exactly the powers of the Government are should be made absolutely clear. I say that this Bill does not correspond to the spirit—I am not bothered whether the letter is fulfilled or not—of the Fundamental Rights guaranteed by our Constitution; it goes contrary to certain Fundamental Rights. It even differs from the Central Act in that certain safeguards provided in that Act do not find a place here.

“First of all, the Government must satisfy the House as to the need for keeping properties under requisition. If they satisfy us on this point, then it is necessary to go in detail into the wording of the various clauses to see that the Bill conforms to the Fundamental Rights and does not give absolute powers to the Government to deal with property in any manner they please. Therefore I oppose the motion that the Bill be taken into consideration. If the Bill is taken into consideration, then I support the amendment of Comrade Venkateswarlu for referring the Bill to a Select Committee.”

* SRI K. KRISHNA RAO :—“Sir, this Bill relates to properties which the Government took over from 1939 onwards on the specious plea of war. The Defence of India Act was not really necessary. It has a strange and peculiar history. War broke out on one fine morning. As the Leader of the Opposition in the Central Assembly said at that time, within two days, a ready-made Bill was placed before the Central Legislature. The Bill was passed not so much to prosecute the war as to trample the interests of the common man. This will be apparent if one reads the debate in the Central Legislative Assembly of those days, particularly the speeches made by the Members of the Opposition. That Act is a Draconian Act under which the Government can simply seize property and pass any order they like. That Act does not contain any of the safeguards for protecting the rights and interests of owners of land as are provided in the Land Acquisition Act. It is Nawab durbarism and nothing less; it is sheer autocracy. I want the House to realize the injustice perpetrated in the forcible taking over and expropriation of land under that Act during war time. In Visakhapatnam, Nellore, Ponneri and many other areas, the lands of a number of small peasants were taken over without paying any compensation and enclosed in barbed wire fencing. There was nobody even to reply to representations. We were told that the war was on, that we should help the British and that therefore we had to put up with some inconvenience. My point is, why the Government should continue to hold properties which were requisitioned or acquired with so much injustice and denial of elementary human rights. This is a matter on which, I think there can be no two opinions at all. If a property was taken over for the defence of India, its retention can no longer be for the defence of India as India is no longer at war. Therefore the Government have absolutely no right to continue to retain the property. From 1946 onwards, such property should have been

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returned to the owners. Besides requisitioning property, men were conscripted to serve in the different theatres of war. Have they been taken over for civil jobs? Many of them were simply demobilized and left uncared for and unemployed. As somebody said—

‘Bars and bolts cost something,
Indians cost nothing.’

That is the cynicism with which this Government have treated them. When that is the case with human beings, why should the Government continue to retain the requisitioned properties? Some of these properties are situated in strategic places like the vicinity of the Visakhapatnam Harbour. Compared with the period of requisition, say about 1939, the value of lands must have risen fabulously high now and it is very easy to use these lands for the purpose of political patronage, for purchasing a number of people who hold great strategic positions in the State. Holding a strategic position is a source of great political power. That is the real reason why the Government do not want to part with the properties. During the war, there was no popular Ministry in the State. There was the Advisers Government under section 93 of the Government of India Act, 1935, and there was sheer autocracy. What an amount of terrible injustice and oppression must have been exercised over the peasants in requisitioning their lands? After the war, the leaders said that they should come to power and they did come to power. That was a good thing. But they do not want to apply the same principle to requisitioned lands because the owners unfortunately do not belong to the Congress Party and are not big landlords or owners of big printing presses. That is the whole trouble. They are in remote villages and that is the reason why we did not know of them much. Sometimes truth comes out. I would refer the House to the proceedings of the last Assembly. Mr. V. I. Muniswami Pillay had not become a Communist because he bundled grievances and hurled them at the Government. On 12th March 1951, he said in the Assembly—

‘I would like to inform the House through you, Sir, that the Governments of the Union and the State have been occupying the lands in Coimbatore and other districts for such a long time that it is working great hardship on the owners of these lands. There are so many people who have been applying for land for house construction. The town of Coimbatore is extending so fast that it is highly necessary that this Government as well as the Central Government should think about this and close the chapter of this Act at an early date.’

Fourteen months have elapsed since he uttered those words. If there is an order under section 144, Criminal Procedure Code, things get moving within two minutes. If the Government want to arrest a Communist, wireless messages issue, jeeps rush in and he is spirited away into the Vellore detention camp or the Cuddalore Central Jail. But there is so much delay or inaction in derequisitioning lands because the Government want to use them as a means of political patronage. The Government have absolutely no moral justification to continue to hold lands which were taken over against all elementary principles. The Indian National

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Congress have told us that a legislation passed to meet a war emergency should not be continued in force even for a day after the cessation of that emergency. The Defence of India Act for the war of 1914-18 ceased to be in force from 1919. At that time the Government wanted to continue the emergency powers and passed the Rowlatt Act. The Congress concentrated all its energy to see that that Act went out of the statute book. Why? Because a very great principle of politics was involved. Emergency powers intended to ride rough-shod over men's liberties and to treat men as animals or inanimate beings, assumed by the Government on the specious plea of war, should not be continued even for a day after the emergency ceases. That was the great principle there. That is why I say that the earlier the lands are restored to the owners, as Mr. Muniswami Pillay said, the better for all it will be. Mr. R. Subba Ayyar, who was talking about these lands, in the last Legislative Assembly, said,—

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'The Hon. Minister says that they are giving very liberal compensation. In fact I know extensive lands have been taken on requisition in Gummidipundi of Ponneri taluk during the war under the Defence of India Rules. They are yet to be derequisitioned. The liberal compensation referred to by the Hon. Minister is Rs. 10 to Rs. 15 per acre of wet land. The owners are now anxious to cultivate the land. In these places there are large extents of land available even outside barbed wire fencing.'

There were all these complaints. There were a number of complaints from Visakhapatnam. My friends in Visakhapatnam have been telling us that a number of acres near the Visakhapatnam harbour have been taken away. Why is it that those lands have not yet been derequisitioned? Is it because the Government want to give them to somebody or have the Government promised to give those lands to some people? These are all things which must be gone into. People have all along been under the impression that if they make complaints, they will be dubbed as Communists and sent to Vellore Jail. Now a very different atmosphere prevails. People are free to-day to ventilate their grievances and express their difficulties. Let us know what has happened between 1939 and now. Let us know whose properties have been taken away under the Defence of India Rules—Nawab Durbar rule? Let us know who are the owners whose properties have been robbed from them. I would suggest, Sir, that this whole Bill and the provisions contained in the Bill should be gone into fully and public opinion elicited thereon. I should certainly like to have information on this. Mr. Sitarama Reddi, the then Minister, said on the floor of the Legislative Assembly on the 12th March 1951. 'There are still 96 cases of immovable property held by this Government. They are situated in four districts, namely, Malabar, Visakhapatnam, Coimbatore and Madras. They are mostly lands and not buildings.' (Page 675, Vol. IX—1951.) Here he says they are mostly lands and not buildings. But later on, on page 676, he says, 'Sir, as I said, so far as Coimbatore is concerned, there is no land which is under requisition. The buildings only have to be derequisitioned.' Sir, is it buildings or lands, I should like to know. On page 675, Mr. Sitarama Reddi says, 'there are 96 cases.' In the Legislative Council on 17th March 1951, he says, 'there are still 106 cases of

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properties held under requisition for the purpose of the State.' I would like to know whether the number of requisitioned properties has increased within five days. Let not Government put forward the argument that it is all just a Communist affair. Let them not think like that. The position is this. A responsible Minister says one thing in the Assembly and another thing in the Council. He gives one figure in the Assembly and another figure in the Council. We should, therefore, like to know the truth. We remember the days when the war was on, a number of persons came and told us, 'Our lands have been taken away and given to the loyalists of the British Government.' I know, Sir, a great loyalist was given large extents of lands for raising casuarina plantations. I know another loyalist gentleman in Tanjore was also given a good portion of land. I should like to know whether this requisition was under the Defence of India Rules. Compensation was not payable then. I should like to know if lands are to be robbed from the poor in order that the rich may be given those lands. Whether the British Government did it or this Government did it, does not matter. The people have suffered much by this requisitioning of property in war time. They must really be compensated. It is not merely nations that should get reparations, but individuals also must get reparations. The people have suffered very much and they must have recompense, as every Congressman got five acres of land for having once gone to jail during the summer vacation! Those whose properties have been requisitioned have suffered very great hardship, and they must be reimbursed for the loss which they have suffered, certainly on account of the inability of the political parties to lead our country properly. I would request the Government to consider the matter fully before they hustle us into accepting this measure. At any rate, let us know what the truth is. We do not want to be hustled into accepting this Bill. Of course the Governor has issued the Ordinance. But we should like to know why the Governor did not come before the Legislative Assembly before the 31st March. It was open to him to do it. Why should he stampede us into accepting the principle of this Bill? I want, Sir, that this Bill should be circulated for eliciting public opinion."

SRI VAVILALA GOPALAKRISHNIAH :—అధ్యక్షా, మొదట Defence of India Act వచ్చినప్పుడు ఇప్పుడు ఉన్నటువంటి వారందరుకూడ ఆ చట్టము వసికిరాదు, దానిలో చాలా నిర్బంధాలున్నాయి, దానివల్ల సామాన్య ప్రజానీకము చాలా కష్టపడ్డలకు పాలగుదురు. కనుక ఆ Act ఉండకూడదని అన్నారు కాని, అప్పుడు యదృశ సమయమైనందున, యదృచ్ఛి ఎదుర్కొనే నిమిత్తం అందుకు కావలసిన ట్రైకి పియర్స్ బ్రెయినింగు కేంద్రాలు మొదలగు యదృశవర్గాల చేహార్చేందుకు, వాటికి కావలసినటువంటి ఆస్తులను ప్రభుత్వము స్వాధీనము చేసుకొనుటకుగాను Defence of India Act అవసరమని ప్రభుత్వమువారు ఆ చట్టాన్ని అమలులో పెట్టినారు. కాని ఇప్పుడు యదృశ ఆయిపోయినది. ఆ ప్రమాదమునుండి గట్టెక్కి బయట పడ్డాము. ఇంక ఈ Defence of India Act అవసరము కనుక ఈ చట్టము పోతుందని అనుకొన్నాము. కాని Defence of India Act

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పేరుకు మాత్రము పోయిందిగాని దాని అధికారము పోలేదు. అదే చట్టమే మరొక రూపముతో వెలువడింది. దీనినే ఇంకొక Ordinance రూపములో కేంద్ర ప్రభుత్వము ప్రారంభించింది. దానిలో వినుని చెప్పబడింది అనగా విను ఆస్తులచే Defence of India Act క్రింద ప్రభుత్వముచే స్వాధీనపరచుకొనబడినచో, అన్నీ అటులే ప్రభుత్వము స్వాధీనములో ఉంచుకొనబడునని చెప్పబడినది. కనుక Defence of India Act పోయినప్పటికీకూడ అది నామమాత్రమేగాని, దాని ఆశయము పోలేదు. అది ఇంకొక రూపముతో పరిణమించింది. ఇది ఎట్లున్నదనగా తెలుగులో ఒక నామక ఉన్నది. “బిడ్డ చనిపోయిందిగాని, ఒకా పురుషికింపు పోలేదు” అన్నట్లు Defence of India Act పోయినాకూడా, దాని ఆశయము పోలేదు. ఆ రోజుననే యుద్ధమునందున దాన్ని ఎదుర్కొనేందుకు కావలసిన టెక్నిషియన్లు, మిషినరీసు తయారు చేసేందుకు అక్కడక్కడ ట్రైనింగు కేంద్రాలు మొదలగునవి నియమించవలసి యుండునని చాలా భాములు స్వాధీనం చేసుకొన్నారు. అందులో సామాన్య రైతాంగానికి చెందినటువంటి అనేక పొలాలు కూడా యున్నవి. కాని వారికి అందుకు తగిన compensation కూడా లేకుండా పోయింది. ఇంకా ఈ Ordinance లో వినిచెప్పబడినంతే, ప్రభుత్వమువారికి కావలసిన ఆస్తులను ముందు స్వాధీనము చేసుకొని, తరువాత వాటిను ఇస్తామని చెప్పబడినది. ఈ విధంగా సామాన్య ప్రజానీకముయొక్క కష్ట సుఖాలు కూడా గమనించకుండా ప్రజల ఆనందతి కూడా తీసుకోకుండా వారి భూములు స్వాధీనము చేసుకొనుట చాలా అన్యాయము యుద్ధము అయిపోయినాకూడా, ఇంకా భూములను ఎందుకు ప్రభుత్వము స్వాధీనములో ఉంచుకొన్నారో అర్థము కావడం లేదు, ఉదాహరణముగా, గుంటూరులో రింగు రోడ్లలో పాములవాటి వెంటక్రిష్టయ్యగారిచే స్థాపించినటువంటి War Technicians యొక్క కేంద్రము ఇప్పటికీ కూడా యున్నది. ఇక్కడ ఉన్నటువంటి ప్రధాన మంత్రులు కూడా దానిని చూచినారు. ఆ Technicians కేంద్రము క్రింద ఉన్నటువంటి పొలాల్ని కూడా, ఇప్పటికీ ఆయన స్వాధీనములోనే ఉన్నాయి. ఇప్పుడు Technicians Camp గాని, మరేమిగానిలేదు. అయినాకూడా ఆ పొలాలను వెనకకు ఇవ్వలేదు. వాటికి సంబంధించిన రైతులంతా కూడా ఆ పొలాలను వారికి ఇచ్చివేయవలసినదని ప్రభుత్వానికి విన్నవించుకొన్నాకూడా ప్రభుత్వము వాటిని ఇవ్వకుండా యున్నారు. యుద్ధము అయిపోయి వాటి అవసరము లేకపోయినాకూడా, రైతులకు వారి పొలాలను ఇవ్వలేదు. పోనీ దానికి తగిన compensation అయినా ఇస్తారా అంటే అదికూడా లేదు. కొత్తగా పొలాలు వినియోగ మేము స్వాధీనము చేసుకోవడంలేదు. అధికార చరాక్షేమ స్వాధీనము చేసుకోలేను. సిగ్గరాసి మత్రిమే ఛిచ్చుకొన్నామని ప్రభుత్వము చెప్పుచున్నది. ఇది బాగానే యున్నది. వారి పుత్రాన వారి చర్యలు వరాస్తే వరకు రానందుకు చాలా సంతోషించవలసియున్నది. కాని యుద్ధము అయిపోయినా కూడా ఇంకా ఈ భూములు ప్రభుత్వ స్వాధీనములో ఎందుకు ఉండవలసే తెలియకున్నది. ఈ పొలాల్నికూడా అధికారపడియున్న సామాన్య రైతాంగముంతా కూడా వేరే జీవనాధారము లేకుండా చాలా కష్టాలకు గురి అగు చున్నారు. అందువల్ల నేను మనవి చేయవలసి వినునగా, ‘ఈ లిల్లును ఈ సభలో ఇట్లనే ఆమోదించకుండా ప్రజాపాయానికి పంపించి, ప్రజాధిపాయానుగుణంగా తీర్చానివ్వవలసినదని ప్రభుత్వమువారిని కోరుచున్నాను.’ యుద్ధమేమో అయిపోయింది. Defence of India Act కూడా పోయింది. జైల్లో ఉండినవారు కూడా విడుదల అయినారు, కాని ప్రభుత్వము స్వాధీనపరచుకున్న పొలాలు మాత్రము ఇంతవరకు ఇవ్వలేదు. సామాన్య ప్రజానీకానికి ఉపయోగపడకుండునటువంటివి, రైతుల అవసరాలకు మించి ఎక్కువగా ఉండునటువంటి పొలాలు ప్రభుత్వము స్వాధీనము చేసుకొని

[Sri Vavilala Gopalakrishniah] [12th May 1952]

నన్నుటికి పరవాలేదు. దానివల్ల ఎవరు ఏమీ ఇబ్బంది పడరు. కాని మీద రైతాంగము యొక్క పొలాలు స్వాధీనపరచుకొంటే వారు నానా బాధలు పడవలసి వస్తుంది, కనుక తారతమ్యము లేకుండా, ప్రజల కష్ట సుఖాలను గమనించకుండా మొత్తము అధికారా న్నంతా తీసుకొని ప్రభుత్వము వారికిష్టము వచ్చిన పొలాలను స్వాధీనము చేసుకొనుట ఏ మాత్రము న్యాయముకాదు. ప్రజల సౌకర్యాలు కల్పించే నిమిత్తం గాని మరే ప్రజో పయోగానికిగాని భూమి కావలసివస్తే ఇదివరకే Requisitioned Land Act ఉండనే ఉంది. దానిద్వారా అవసరమైన భూమిని తీసుకోవచ్చు అదిగాక మళ్ళి ఇప్పుడు స్థిరాస్తులపై న రాధికారాలు కావాలని కేంద్ర ప్రభుత్వము Requisitioning and Acquisition of Immovable Property Act అని బిల్లు చేసింది. అదే ప్రకారం ఇప్పుడు మద్రాసు ప్రభుత్వము కూడా ఈ రాష్ట్రస్థాయికి సంబంధించినటువంటి స్థిరాస్తులను స్వాధీనపరచుకొనేందుకు ఒక Ordinance చేసి అది చట్టరూపముగా తీసుకొని వస్తూయన్నారు, ఇది చాలా అన్యాయము. కనుక ప్రభుత్వమువారిని నేను కోరుతది విమర్శగా, ఈ బిల్లును ప్రజాస్థిరప్రాయానికి వంటించి ప్రజాస్థిరప్రాయము ఇందుకు అనుకూ లంగా ఉండినట్లైతే తప్పక దీనిని బిల్లు చేసి అమలులోనికి తీసుకొని రావచ్చును. కనుక దీనిని ప్రజాస్థిరప్రాయానికి వదలి వెట్టితేనే సుంచిదని చెప్పి మనవి చేస్తున్నాను. లేకపోతే, కనీసము ఒక నెలపు కమిటీవైనా నియమించి వారి నిర్ణయం ప్రకారం చేయవలసిందని కోరుతున్నాను.”

SRI R. LAKSHMI NARASIMHA DORA :—“ Mr. Speaker, Sir, a proper appreciation of the provisions of this Bill now before the House, would not have necessitated so much of discussion which it has provoked from so many sides of the House. We are not competent to criticise the provisions of the Defence of India Act, 1939, or of the Central Act of 1947 which sought to extend the life of the original Act. Nor are we competent to criticise the provisions of Madras Act II of 1951, which was passed to extend the life of the Central Act in so far as it related to immovable properties under requisition by the State Government. Of course I do not appreciate the slackness on the part of the Government in disposing of the properties which have been requisitioned under those Acts. The Government of India passed that Act at a time when war was on. The war ended somewhere in 1945, and I do not think that the conditions prevailing then still exist in 1952. We can understand the purpose of the Act better if the Government say they want a little more time to derequisition the properties. They have neglected all these years to return the properties to the owners. I should expect the other side to welcome this measure, and this Bill should not be a controversial Bill. The other side has been criticising the Government for having requisitioned properties and not returning them to the owners. Some hon. Members speak of giving compensation and some speak of returning the lands to the owners for putting them to the use for which they were intended, etc. Whatever it is, we are at a stage when the Government want to acquire some of the properties which they requisitioned. Of course there is an Act dealing with acquisition

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of lands. Government can acquire lands under that Act. I do not think the Government are justified in bringing forward this legislation and passing it in this session.

“ Sir, the one thing to which I take objection is this. The original Act provides for two methods of disposing of the property. One is release from requisition and the other is acquisition of the property. Then, section 3 of the original Act says—

‘ Notwithstanding the expiration of the Defence of India Act, 1939, and the rules made thereunder and the repeal of the Ordinance, all requisitioned lands shall continue to be subject to requisition until the expiry of this Act and the appropriate Government may use or deal with any requisitioned land in such manner as may appear to it to be expedient :

Provided that the appropriate Government may at any time release from ‘ requisition any requisitioned land.’

Section 4 deals with the delivering back of property to the owner thereof. Section 5 deals with the power of acquisition. Sub-clause (1) of clause 4 of the Bill says—

‘ If at any time the State Government are of opinion that it is necessary to acquire any requisitioned land for a public purpose, they may acquire such land by publishing in the *Fort St. George Gazette* a notice to the effect that they have decided to acquire such land in pursuance of this section.’

The other sub-clauses in the original section, section 5, are adapted as sub-clauses (2) to (5) of clause 4 of the Bill. In this new sub-clause (1), the words ‘ public purpose ’ have been introduced which we do not find in the original section. I would invite the attention of the Hon. Minister in charge of the Bill to sub-section (3) of section 5 which runs as follows :—

‘ No requisitioned land shall be acquired under this section except in the following circumstances, namely :—

(a) where any works have during the period of requisition been constructed on, in or over the land wholly or partly at the expense of Government and the appropriate Government decides that the value of, or the right to use such works should be preserved or secured for the purposes of Government.

(b) Where the cost of restoring the land to its condition at the time of its requisition would, in the determination of the appropriate Government, be excessive having regard to the value of the land at that time and the owner declines to accept the release from requisition of the land without payment of compensation from Government.’

These are the only two conditions under which the property can be acquired. The new sub-clause (1) uses the words ‘ acquire any requisitioned land for a public purpose ’. I feel that we are tinkering with these clauses because the new words introduce a new condition in addition to the two conditions already existing. I think the introduction of the term ‘ public purpose ’ is inconsistent with the two original conditions. Therefore, the term ‘ public purpose ’ may be omitted. Otherwise, it may create confusion. With these words, I submit the Bill may be accepted and no useful purpose will be served by referring it to a Select Committee because it is virtually based on an Act passed by the Central Parliament. No useful purpose will also be served by circulating it for eliciting public opinion for the same reason.”

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SRI PILLALAMARRI VENKATESWARLU :—“ Sir, the Government are accepting the motion for reference to a Select Committee.”

MR. SPEAKER :—“ Then I will put the motion to the vote of the House.”

* THE HON. SRI C. RAJAGOPALACHARI :—“ Mr. Speaker, Sir, I wish to explain the position in detail and then make a suggestion. Most of the things said by hon. Members are irrelevant. The object of this Bill is not to make any requisition in order to keep any land unnecessarily and in fact, all these requisitioned lands are a mere burden so far as the State Government are concerned. The derequisitioning process is not merely a legal process. Some constructions have been made here and there; some changes have been made. We will have to hand over the property as we took. For that, we will require some time. So, derequisition is not merely a small matter on paper but it is a matter which will have to be gone into in detail and which involves some difficulties, and it has taken time. Let no one imagine either one of the two things, namely, that we want fresh power, autocratic power, to take over private people's land, or that we wish to hold property unnecessarily and wastefully for the State. If these two things are accepted, then I want the House to understand that there is a certain amount of work to be done before derequisitioning and, therefore, the legal propriety of the action of the Government in holding the property during the period required must be put in order. If we take time to derequisition and hand over the property to its owner we should have no gaps, as was pointed out earlier, wherein we hold the property without proper right to hold it. So, there was an Ordinance and this Bill has been introduced for the purpose of making the Ordinance an Act. The Ordinance protects us for six weeks from May 3 when we met to swear or from May 6th when we actually had the Speaker elected and the House constituted. We could not take risks. The Ordinance will lapse on the 14th June or so. If we have a ‘select’ Select Committee—I use the word ‘Select Committee’ in a double way—it may be a ‘select’ Select Committee, that is to say, the people will give their attention immediately and properly to the main issue and not look at it as if we have a fight over something, we may perhaps deal with the Bill, and any defects or omissions that may be noticed may be set right and it may be supplemented where necessary. For instance, provision regarding notice to be given before acquiring land for a public purpose, so that the other side may be heard before acquisition, has been referred to. It was not our object at all not to give notice but it may be provided for. If we could have a small Select Committee and complete all the work within, say, a week or so, we may meet rather early in June and devote a day for the Bill and have it passed. I do not wish to

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have unnecessary bouts with the other side in the first session. I would like to work with them in a Committee in the first session itself and see how they co-operate with me."

MR. SPEAKER :—" So, the Government accept the motion? "

* THE HON. SRI C. RAJAGOPALACHARI :—" The motion for referring the Bill to a Select Committee, by agreement, may be adopted and we may be settling the names of the Members presently so that when we meet again after lunch we will be able to give the names. We will give a list of 12 Members *plus* the Mover of the Bill, that is, 13, a good number for derequisitioning. (Laughter.) On behalf of the Government and on behalf of the Mover of the Bill, I accept the amendment for referring the Bill to a Select Committee and move that the number of Members of the Select Committee may be 13 instead of 17,"

MR. SPEAKER :—" Then, let the hon. Member Sri Krishna Rao withdraw his amendment . . . "

SRI K. KRISHNA RAO :—" I request the leave of the House to withdraw my amendment to circulate the Bill."

The amendment was, by leave of the House, withdrawn.

MR. SPEAKER :—" Instead of 17 Members, the Hon. the Chief Minister wants to make it 13. I think the amendment is accepted."

The Hon. the Chief Minister's amendment was put to the House and carried.

MR. SPEAKER :—" I shall put the amended motion to the vote of the House and if it is carried, the original motion of the Hon. Minister goes. The question is—

' That the Madras Requisitioned Land (Continuance of Powers) Bill, 1952, be referred to a Select Committee consisting of 13 Members of the Assembly. "

The motion was carried.

MR. SPEAKER :—" The names of the Members of the Select Committee would be given after lunch. We shall now take the next item on the Agenda."

* SRI P. RAMAMURTHI :—" May I make a suggestion to you, Sir? In anyway we are going to meet in the afternoon for the purpose of knowing the names of the Members of the Select Committee. There is also not much of business to be transacted in the afternoon. Therefore, I would suggest that we adjourn now and meet in the afternoon to discuss the Resolution."

MR. SPEAKER :—" I hope the Government have no objection."

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THE HON. SRI C. SUBRAMANIAM :—" No objection, Sir."

MR. SPEAKER :—" The House will now rise and meet again at 2-30 p.m."

(After lunch—2-30 p.m.)

MR. SPEAKER :—" The Hon. Minister will now give the names of Members of the Select Committee."

THE HON. SRI M. A. MANICKAVELU NAICKER :—" I give below the names of the hon. Members who will form the Select Committee, the motion for constituting which has been approved by this House this forenoon :—

1. The Hon. Sri M. A. Manickavelu Naicker,
2. The Hon. Sri C. Subramaniam,
3. Sri T. Viswanatham,
4. Dr. K. B. Menon,
5. Sri S. Swayamprakasam,
6. Sri V. Gopala Gounder,
7. Sri K. Krishna Rao,
8. Sri N. Gopala Menon,
9. Sri Chinnathambi Thevar,
10. Sri S. Ramaswami Naidu,
11. Srimathi T. Kotamma Reddi,
12. Sri K. V. Vema Reddy, and
13. Sri B. Gangayya Naidu."

MR. SPEAKER :—" The question is—

"That the following hon. Members will constitute the Select Committee on the Requisitioned Land (Continuance of Powers) Bill, 1952 (L.A. Bill No. 3 of 1952) :—

1. The Hon. Sri M. A. Manickavelu Naicker,
2. The Hon. Sri C. Subramaniam,
3. Sri T. Viswanatham,
4. Dr. K. B. Menon,
5. Sri S. Swayamprakasam,
6. Sri V. Gopala Gounder,
7. Sri K. Krishna Rao,
8. Sri N. Gopala Menon,
9. Sri Chinnathambi Thevar,
10. Sri S. Ramaswami Naidu,
11. Srimathi T. Kotamma Reddi,
12. Sri K. V. Vema Reddy, and
13. Sri B. Gangayya Naidu."

The motion was carried.

12th May 1952]

MR. SPEAKER :—“ Under Rule 83 of the Madras Legislative Assembly Rules, I hereby nominate Hon. Sri M. A. Manickavelu Naicker, to be the Chairman of the Select Committee.”

VI.—GOVERNMENT MOTION *RE*.

EXCLUSION OF CERTAIN CITIZENS OF CEYLON FROM RIGHTS OF CITIZENSHIP.

* THE HON. SRI C. SUBRAMANIAM :—“ Mr. Speaker, Sir, I beg to move the following resolution standing in my name :—

‘ That, this Assembly expresses its deep sympathy with those citizens of Ceylon who having been settled in Ceylon for the benefit and development of the island and become citizens of Ceylon are by a series of measures sought to be excluded from the rights of citizenship conferred on the people of Ceylon.

‘ That, this Assembly extends to these unfortunate citizens of Ceylon its fullest sympathy in their struggle for justice and equal civic rights.

‘ That, this Assembly appeals to the better mind of the people of Ceylon to extend their support to their unfortunate brethren in their struggle for their legitimate rights.

‘ That, this Assembly recommends to the Government to forward the above resolution to the Government of India for necessary action.’

“ Sir, I think any lengthy speech in support of this motion is not necessary. Before tabling this resolution, I consulted the Hon. Leader of the Opposition and also some other leaders on the other side. It is almost an agreed resolution and therefore, I am sure, it will have a smooth passage in this House. In discussing this resolution, I would like hon. Members to bear in mind that we are dealing with the independent Government of Ceylon. As far as we are concerned, we have absolutely no right to interfere with the internal administration of Ceylon. They are as much an independent country as we are. Therefore, it will not be right on our part to indulge in any kind of strong criticism against that Government. Further, ours is a State Assembly. As such, we have absolutely nothing to do with any other foreign State. In these circumstances, I request the hon. Members not to be severe in their criticism with regard to the attitude of the Government of Ceylon.

“ The first part of the resolution deals with the exclusion from the rights of citizenship of certain people who have been in Ceylon for a very considerable time. They have gone there from India, and especially, from South India. No doubt, they went there to eke out their livelihood. Having gone there, by their hard work they have developed the country. I have not myself gone to Ceylon. But, I have learnt from many people who have gone